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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 AMBER SMITH,

9 Plaintiff,

10 v.

11 RAUSCH, STURM, ISRAEL, ENERSON &
12 HORNICK, LLC,

13 Defendant.

Case No. 2:13-cv-00441 -APG-CWH

O R D E R

14 On August 21, 2013, the Court entered its Order [Dkt. #9] dismissing this case
15 without prejudice. Subsequently, Plaintiff filed her Motion [Dkt. #10] to set aside that
16 Order so Plaintiff could file a Notice of Dismissal with Prejudice. Plaintiff's Motion is
17 based on her counsel's failure to timely file such a Dismissal with Prejudice, as noted in
18 the Court's August 21, 2013 Order. For the reasons set forth in Plaintiff's Motion,

19 **IT IS HEREBY ORDERED** that the Court's prior Order dated August 21, 2013 is
20 hereby amended such that dismissal of this action is with prejudice against re-filing.

21 Dated: September 30, 2013.

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24 ANDREW P. GORDON
25 UNITED STATES DISTRICT JUDGE
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